IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UN | IITED STATES OF AMERICA |) | |
|----|---|---|--|
| | Plaintiff, |) 8:07MJ123) | |
| | vs. |) DETENTION ORDER | |
| LU | IS FERNANDO, | | |
| | Defendant. | } | |
| A. | Order For Detention After conducting a detention hearing pursual Act on August 2, 2007, the Court order pursuant to 18 U.S.C. § 3142(e) and (i). | ant to 18 U.S.C. § 3142(f) of the Bail Reform s the above-named defendant detained | |
| B. | Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. | | |
| C. | of 18 U.S.C. § 1546 ca imprisonment (b) The offense is a crime of (c) The offense involves a n (d) The offense involves a la | es Report, and includes the following: le offense charged: luse of identification documents in violation arries a maximum sentence of ten years f violence. arcotic drug. luge amount of controlled substances, to wit: | |
| | may affect whet X The defendant h ties. Past conduct of The defendant h Court proceeding | appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. It is not a long time resident of the community. However, the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. has a prior record of failure to appear at | |

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| | | Release pending trial, sentence, appeal or completion of |
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| | | sentence. |
| (c) | c) Other Factors: | |
| . , | X_ | The defendant is an illegal alien and is subject to |
| | | deportation. |
| | | The defendant is a legal alien and will be subject to |
| | | deportation if convicted. |
| X The Bureau of Immigration and Custom E | | The Bureau of Immigration and Custom Enforcement |
| | | (BICE) has placed a detainer with the U.S. Marshal. |
| | | Other: |

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 2, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge